IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

WP(C).No. 2439 of 2007(M)

PETITIONER:

E. SELVARAJAN, S/O. EBENEEZER,
AGED 43 YEARS, ASHIQUE BHAVAN, ERAVILA,PERUKAVU,
VILAVOORKAL PANCHAYATH,THIRUVANANTHAPURAM DISTRICT

BY ADV. SRI.BIJU M.JOHN
SMT.L.AJITHA KUMARI

RESPONDENTS:

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1. VILAVOORKAL GRAMA PANCHAYATH,
THIRUVANANTHAPURAM DISTRICT, REP.BY ITS SECRETARY.

2. SUB INSPECTOR OF POLICE,
MALAYINKEEZHU POLICE STATION,
THIRUVANANTHAPURAM DISTRICT.

3. SUPERINTENDENT OF POLICE (RURAL),
THIRUVANANTHAPURAM DISTRICT.

4. C.S. SREENIVASAN,
PRESIDENT, VILAVOORKAL GRAMA PANCHAYATH,
THIRUVANANTHAPURAM DISTRICT.

5. RAMACHANDRAN NAIR,
S/O.NARAYANANNAIR, AGED 29 YEARS,PULLUVILA VEEDU,
PERUKAVU, VILAVOORKAL PANCHAYATH,
THIRUVANANTHAPURAM DISTRICT.

6. SHYAMAN, S/O.APPUKUTTAN NAIR,
AGED 28 YEARS, PUTHAN VEEDU, PERUKAVU,
VILAVOORKAL PANCHAYATH,THIRUVANANTHAPURAM DISTRICT

7. GOPAKUMAR, S/O. SUKUMARAN NAIR,
AGED 48 YEARS, ERAVILLA HOUSE, PERUKAVU,
VILAVOORKAL PANCHAYATH,THIRUVANANTHAPURAM DISTRICT

R2 & R3 BY ADV. SRI.MATHEW G. VADAKKEL, SR. GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/01/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 2439 OF 2007

Dated this the 22nd day of January, 2007

JUDGMENT

Even though the petitioner through his counsel, Sri.Biju M. John submits that it was without issuing any show cause notice that Ext.P5 order cancelling the permit has been issued by the Panchayat, I am of the view that the petitioner can avail his statutory remedies against Ext.P5 and I dispose of the Writ Petition relegating the petitioner to statutory remedies. However, there will be a direction that in furtherance to Ext.P5, the compound wall already constructed by the petitioner will not be demolished by the Panchayat for a period of six weeks from today.

PIUS C. KURIAKOSE, JUDGE

btt